

REMARKS/ARGUMENTS

The Examiner has now withdrawn the rejection of claim 9 under 35 U.S.C. 112, second paragraph, and withdrawn the rejection under 35 U.S.C. 102 of claims 1-4 and 6-8 in view of U.S. Patent No. 5,457,897 to Becker. However, the Examiner continues to reject claims 1-5, and 7-12 as being anticipated by U.S. Patent No. 5,288,467 to Biermaier, and continues to reject claim 13 as being obvious in view of the combined teachings of Biermaier and U.S. Patent Publication No. US2003/0036272 to Shamouilian et al.

The applicant appreciates the Examiner's detailed comments that respond to the applicant's arguments for patentability over the cited references.

As was discussed with respect to independent claim 1 in the Response dated January 26, 2006, claim 1 defines a washer that is comprised of a washing chamber, an intake assembly having a first blower and a first chamber, and a pressure equalization system operable to maintain an equalized pressure in the washing chamber. The pressure equalization system includes a first gate element and a second gate element. The first gate element controls fluid flow *between the first chamber and the washing chamber*. The second gate element is disposed between the first blower and the first gate element *to control air flow into the first chamber from the environment surrounding the washer*. Claim 1 further requires that "said first gate element and said second gate element move to the open position *in response to a negative pressure condition in said washing chamber* to increase the pressure therein."

It appears from the Office Action that the Examiner is equating Biermaier's vessel 15 to the claimed "washing chamber" and equating Biermaier's fluid line 2 or fluid line 4 with the claimed "first chamber." It further appears that the Examiner is equating Biermaier's fluid line 3 with the claimed "exhaust chamber."

In the Examiner's "Response to Arguments" the Examiner appears to take the position that the pressure-actuated flap valves 26/27/28 are equivalent to the claimed first and second gate elements. In this regard, the Examiner comments that the "pressure-actuated flap valves (26/27/28) respond to a negative pressure condition." The Examiner further states that "[i]n the instant case, since the flap valves of Biermaier are fully capable of responding to negative pressure, Biermaier reads on applicant's claimed apparatus."

It is respectfully submitted that the applicant's washer as defined by independent claim 1 is patentably distinguishable from Biermaier, as will be discussed in detail below.

If one of Biermaier's flap valves 26/27 is considered to be equivalent to the applicant's claimed "first gate element...for controlling fluid flow between a first chamber and the washing chamber" it is respectfully submitted that none of the remaining flap valves 26/27 will meet the structural limitations defining the "second gate element." In this regard, claim 1 requires the "second gate element" to be "disposed between said first blower and said first gate element *to control air flow into the first chamber from the environment surrounding the washer.*"

If flap valve 26 is equated with the claimed "first gate element" and fluid line 2 is equated with the claimed "first chamber," then equating flap valve 27 with the claimed "second gate element" does not meet the limitations of claim 1. In this respect, flap valve 27 does not control air flow into fluid line 2 ("first chamber") from the surrounding environment, as required by claim 1. Flap valve 27 also does not control air flow into fluid line 4.

Likewise, if flap valve 27 is equated with the claimed "first gate element" and fluid line 4 is equated with the claimed "first chamber" then equating flap valve 26 with the claimed "second gate element" does not meet the limitations of claim 1. In this respect, flap valve 26 does not control air flow into fluid line 4 ("first chamber") from the surrounding environment, as required by claim 1. Flap valve 26 also does not control air flow into fluid line 2.

Furthermore, it appears that the Examiner has equated flap valve 28 to the claimed "third gate element" (claim 7), and consequently flap valve 28 would not be considered equivalent to the claimed first gate element or second gate element.

Furthermore, the claimed second gate element controls air flow into the first chamber from *the environment surrounding the washer*. In contrast, flap valves 26 and 27 control the flow of *compressed air* from air inlet 7 into vessel 15 (see column 3, lines 5-22). Accordingly, the air controlled by flap valves 26 and 27 is not at atmospheric pressure from the surrounding environment, but rather is *pressurized air* that is used to blow out residual water following a cleaning process (see column 3, lines 14-22).

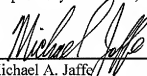
In view of the foregoing, it is respectfully submitted that Biermaier fails to teach or suggest the "second gate element" as defined by independent claim 1. Furthermore, it is respectfully submitted that Becker also fails to provide for the deficiencies of Biermaier. Accordingly, it is respectfully submitted that claim 1 is patentable over the cited references. In addition, the remaining claims depend from claim 1, and thus are patentable over the cited references for at least the same reasons discussed above in connection with claim 1.

It is respectfully submitted that the present application is now in proper condition for allowance. If the Examiner believes there are any further matters that need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0537, referencing our Docket No. ST8618US.

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Respectfully submitted,



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